

74829

REPORTER'S RECORD
VOLUME 74 of 84 VOLUMES

TRIAL COURT CAUSE NO. 20020D00230

THE STATE OF TEXAS,)	IN THE DISTRICT COURT OF
Plaintiff)	
VS.)	EL PASO COUNTY, TEXAS
)	
DAVID RENTERIA,)	
Defendant)	41st JUDICIAL DISTRICT

FILED IN

COURT OF CRIMINAL APPEALS

JUN 04 2009

Jury Trial
May 14, 2008
Sentencing

Louise Pearson, Clerk

On the 22nd day of APRIL 2008 the following proceedings came on to be heard in the above-entitled and numbered cause before the Honorable Mary Anne Bramblett, Judge Presiding, held in El Paso, El Paso County, Texas:

Proceedings reported by machine shorthand.

ORIGINAL

APPEARANCES

Lori Hughes SBOT NO. 00786275
Diana Meraz SBOT NO. 13942600
Jaime Esparza SBOT NO. 06666450
Office of the District Attorney
500 East San Antonio, Room 201
El Paso, Texas 79901
Phone: (915) 546-2059
Fax: (915) 533-5520
ATTORNEYS FOR THE STATE OF TEXAS

Jaime Gandara SBOT NO. 07611900
Edythe Payan SBOT NO. 00791415
Greg Velasquez SBOT NO. 20540300
Office of the Public Defender
500 East San Antonio, # 501
El Paso, Texas 79901
Phone: (915) 546-8185
Fax: (915) 546-8186
ATTORNEYS FOR THE DEFENDANT

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1 (Wednesday, May 14, 2008)

2 (Open Court, defendant present)

3 THE COURT: This is Cause Number 20020D00230;
4 The State of Texas Versus David Renteria. We are scheduled
09:22AM 5 this morning for a formal sentencing in this case.

6 Mr. Gandara, do you have anything you wish to
7 present before I pronounce sentence?

8 MR. GANDARA: Your Honor, we object to
9 sentencing Mr. Renteria in accordance with the jury's
09:22AM 10 verdict this morning because we would rely on our motion
11 for new trial that we filed multiple times, and we would
12 rely on our motion for instructed verdict and renew it and
13 renew the motion for new trial. And we also presented the
14 Court with a motion for mistrial. We renew that at this
09:22AM 15 time. We renew all the objections we made at this time and
16 suggest to the Court that the death penalty sentence in
17 this case is not appropriate under the law.

18 THE COURT: That will be denied and overruled
19 as it has been previously.

09:23AM 20 will the defendant please rise.

21 David Renteria, you were found guilty in 2003
22 of capital murder. A jury found you guilty of murdering a
23 five year old little girl, Alexandra Flores. That jury
24 also assessed the death penalty.

09:23AM 25 Now another jury has again found you to be a

1 future danger. That jury has again found that there are no
2 mitigating circumstances to prevent the imposition of the
3 death penalty.

09:23AM 4 This is an atrocious crime for which the laws
5 of Texas allow a death sentence. Twice now your community
6 has decreed that you should die for what you did to
7 Alexandra.

8 In accordance with the law and the jury
9 verdict I hereby impose the death penalty and sentence you
09:23AM 10 to death by lethal injection.

11 You may be seated.

12 Is there any victim impact statements?

13 MR. ESPARZA: Your Honor, there is.

14 THE COURT: All right. We'll go off the
09:24AM 15 record.

16 (Off the record)

17 MR. GANDARA: Your Honor, we object to
18 multiple victim impact statement. The Code provides for a
19 victim impact statement for the purpose of making one
09:25AM 20 statement and not multiple statements.

21 THE COURT: What provision is that? Do you
22 have the statute?

23 MR. GANDARA: I don't have the statute with
24 me, Your Honor, at this point, and I can't recollect the
09:25AM 25 citation.

1 MR. ESPARZA: Your Honor, I believe the
2 Section is Article 42.03 Section 1 of the Code of Criminal
3 Procedure. And as I read it, it says the Court shall
4 permit a victim. That doesn't limit the number of victims.

09:25AM

5 THE COURT: All right. The Court is going to
6 overrule your objection and allow the members of the family
7 to give their victim impact statements.

8 All right. You may now go back off the
9 record.

10 (Off the record)

11 (Adjourned)

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COURT REPORTER'S CERTIFICATE

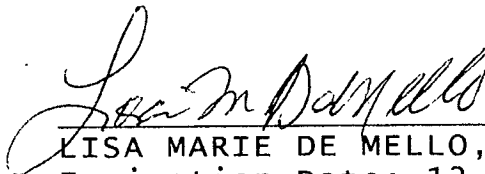
THE STATE OF TEXAS)
COUNTY OF EL PASO)

I, LISA MARIE DE MELLO, CSR, RPR, Official Court Reporter in and for the Council of Judges Administration, El Paso County, State of Texas, do hereby certify that the above and foregoing contains a true and correct transcription of all portions of evidence and other proceedings requested in writing by counsel for the parties to be included in this volume of the Reporter's Record, in the above-styled and numbered cause, all of which occurred in open court or in chambers and were reported by me.

I further certify that this Reporter's Record of the proceedings truly and correctly reflects the exhibits, if any, admitted by the respective parties.

I further certify that the total cost for the preparation of this Reporter's Record, 5/14/08, is \$ ^ and was paid/will be paid by ^.

WITNESS MY OFFICIAL HAND this the 14th day of May 2009.



LISA MARIE DE MELLO, Texas CSR 3313
Expiration Date: 12-31-2009
El Paso County Council of Judges
500 East San Antonio Street, Suite 101
El Paso, Texas 79901
(915) 546-2000 ext. 4352